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AN ARGUMENT AGAINST THE EXPORTATION OF ARMS

BY EDMUND VON MACH,

Cambridge, Mass.

The Democratic Text Book, 1914, issued by the Democratic Congressional Committee and The Democratic National Committee, contains on page 43 the following announcement by Hon. W. J. Bryan, Secretary of State:

The announcement made by this government, that it regards the making of loans by American citizens to the governments of nations engaged in war as inconsistent with the spirit of neutrality, has created a profound impression throughout the world. It is the first time that a great nation has taken this stand on the subject of war loans. The matter has been discussed at The Hague and at peace conferences, but it encountered so much opposition that nothing tangible has resulted. The president, therefore, blazes a new way when, without conference with other nations and without support from Conventions, he commits this nation to his policy.

It is inconsistent with the spirit of neutrality for a neutral nation to make loans to belligerent nations, for money is the worst of contraband.

In these two paragraphs Mr. Bryan himself has refuted all the arguments of the opponents of a law laying an embargo on the export of munitions of war.

It is, moreover, noticeable that he uses the expressions "loans by American citizens to the governments of nations engaged in war" and "a neutral nation to make loans to belligerent nations" as synonymous so far as America is concerned. And so it should be, for here the sovereignty is the people's, and the government is theirs, too. It is impossible to quote as true for America those passages of the so-called Law of Nations—which really represents the crystallized customs of Europe—which say that citizens either individually or collectively can do what the government cannot do. The American government is, at least in theory, the expression of the collective will of the people.

President Cleveland expressed this idea in his annual message to Congress, December 2, 1895, when he said:

The performance of this duty [*i.e.*, to observe in "good faith" neutrality toward Spain] should not be made more difficult by a disregard on the part of our

citizens of the obligations growing out of their allegiance to their country which should restrain them from violating as individuals the neutrality which the nation of which they are members is bound to observe in its relations to friendly sovereign states.

And the Supreme Court of the United States has said (14 How. 38, 49):

For as the sovereignty resides in the people, every citizen is a portion of it, and is himself personally bound by the laws which the representatives of the sovereignty may pass, or the treaties into which they may enter, within the scope of their delegated authority. And when that authority has plighted its faith to another nation that there shall be peace and friendship between the citizens of the two countries, every citizen of the United States is equally and personally pledged. The compact is made by the department of the government upon which he himself has agreed to confer the power. It is his own personal compact as a portion of the sovereignty in whose behalf it is made. And he can do no act, nor enter into any agreement to promote or encourage revolt or hostilities against the territories of a country with which our government is pledged by treaty to be at peace, *without a breach of his duty as a citizen, and the breach of faith pledged to the foreign nation.*

From the foregoing quotations, the authoritative importance of which for the conduct of American citizens and their government is undeniable, it would appear that:

1. What is morally wrong for the government is morally wrong also for each individual citizen.

2. When a large number of individual citizens persist in the commission of acts which run counter to the moral obligations of their government, the government has the right and the duty to take steps to prevent such acts.

3. It is contrary to the spirit of American institutions and the ideals of the American people, for the government to disclaim responsibility for the continued and open acts of a large number of their citizens.

4. American dealings with other nations must be *bona fide* and according to the spirit, and not only the letter, of any compact or understanding.

5. It is *not* unneutral for America to "blaze a new way," or to regulate the conduct of her citizens by laws, proclamations or otherwise, even during the progress of a war.

This last assertion has been severely attacked by the advocates of an unlimited trade in death-dealing arms. They have argued

that the Allies would be justified in considering the laying of an embargo on the export of arms to be an unneutral act. The Allies could not claim this, because they themselves have forced several—if not all of the neutral states of Europe—to declare embargoes of various kinds against Germany and Austria *since* the war began.

The case in favor of stopping the traffic in munitions of war, therefore, may be summarized as follows:

1. The government of the United States cannot, either legally or morally, export arms to either of the belligerents.

2. The export of arms by the citizens of the United States has grown to such large proportions that it is known to all.

3. The government of the United States cannot advance the excuse that it is not morally responsible for the acts of its citizens.

4. The president and secretary of state have publicly declared, and asked for votes on the strength of their declaration, that the government has the *right* "to blaze a new way" and that it is not restrained from giving expression in law to the moral sense of right and wrong of the American people.

5. It is, therefore, the right and consequently the duty of the American government to have legislation enacted which will make it legally wrong for individual citizens to commit acts, the moral wrong of which nobody can deny, in view of the decision of the United States Supreme Court quoted above.

6. The present American government itself has acknowledged the moral wrong of the trade in contraband, in the passage quoted above from the Democratic Text Book.

7. It is, therefore, committed to the enactment of legislation—if it has no other means of accomplishing the same end—forbidding the traffic in munitions of war.